

REMARKS

Claims 11-15, 27, 29, 30, 32, 34, and 36 are all the claims pending in the application.

Claims 11 and 13 have been amended herein. This Response, submitted in reply to the Office Action dated August 29, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Information Disclosure Statement

In the office action, the Examiner indicated that the Information Disclosure Statement filed on April 8, 2008 failed to comply with the requirements of 37 C.F.R. 1.98(a)(1). Applicant has resubmitted the SB/08 form and respectfully submits that the SB/08 form is in full compliance with the requirements of 37 C.F.R. § 1.98(a)(1). Therefore, Applicant submits that the IDS is now in compliance and requests that the form be considered.

The Examiner also indicated that he had not considered the Japanese Office Action submitted with the Information Disclosure Statement of May 27, 2008 because it did not have a publication date as required by 37 C.F.R. 1.98. However, the Examiner indicated that the Japanese Office Action had been considered as an explanation of the relevance of JP 62-18572 and JP 61-32890. Applicant notes that the Japanese Office Action was submitted merely as concise explanation of the relevance of the references listed therein. Further, Applicant also notes that Japanese Office Action includes a date the office action was drafted and that this should constitute the date required by 37 C.F.R. 1.98. Thus, Applicant requests that the Examiner acknowledge this document on the initialed SB/08 form.

Claim Rejections 35 U.S.C. §112

Claims 11-13, 15, 27, 29-30, 32, 34, and 36 stand rejected under 35 U.S.C. §112, first paragraph for failing to comply with the written description requirement. Specifically, the Examiner asserted that there is no support for recitation “the second connecting portion, which is formed on a cylindrical surface of the second opening” found in claim 11. As recited in claim 11, the second opening is disposed at an end of the second passage distal from where the inner pipe is connected and the specification does not appear to teach the connecting portion being disposed in the second opening. However, Applicant notes that figure 17 shows the connection portion being formed on a cylindrical surface of the second passage. Therefore, Applicant has amended claim 11 to clarify this structure and respectfully submits that this amendment fully addresses all the Examiner’s concerns.

Claims 11-13, 15, 27, 29-30, 32, 34, and 36 stand rejected under 35 U.S.C. §112, first paragraph as being indefinite. Specifically, the Examiner asserts that the cylindrical portions and brazing ring recitations of claim 11 are unclear and therefore indefinite. Further, the Examiner asserts that the recitation of “a release mouth” of claim 13 is indefinite because claim 11 already recites “a release mouth”. Claims 11 and 13 have been appropriately amended herein and Applicant respectfully submits that these amendments fully address all of the Examiner’s concerns.

Claim Rejections 35 U.S.C. §103

Claims 11-13, 15, 27, 29-30, 32, 34 and 36 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Parker (US 5,076,242) in view of Applicant’s Admitted Prior Art (AAPA) in view of Martin (US 4,886,305) and further in view of O’Laughlin (US 1,986,010). Applicant respectfully traverses this rejection.

In the previously filed response, Applicant argued that the Examiner has acknowledged that Parker, Martin, and the AAPA fail to teach a brazing material for connecting a pipe into position as claimed. Further, Applicant argued that O'Laughlin fails to teach "a ring braze disposed on a release mouth of the concave portion of the second connecting portion, said release mouth being formed on a cylindrical surface of the second passage".

In response to these arguments, the Examiner asserts that O'Laughlin teaches a ring braze disposed on a release mouth. Further, the Examiner asserts O'Laughlin teaches a ring braze which abuts a shoulder and extends onto a cylindrical portion of a socket and further asserts that the straight shoulder of O'Laughlin is equivalent to the tapered shoulder in Martin. Therefore, the Examiner contends that it would be obvious to dispose a ring braze against the tapered shoulder and onto the cylindrical portion of Martin's socket. Applicant submits that the Examiner has misconstrued the applied references.

O'Laughlin may teach rings of sealing material 7, which are formed having a triangular cross-section so as to fit directly into the angle between the shoulders 5, and the sockets 3, while leaving exposed the face of the bottom inner taper of the fitting. *See* Col. 2, lines 15-21. In other words, O'Laughlin teaches the sealing material 7 being disposed at the end surface of the fitting and specifically teaches how to design the sealing material to facilitate sealing the end surface of the fitting.

Conversely, claim 11 recites "a ring braze disposed on the release mouth of the concave portion of the second connecting portion, said release mouth being formed on a cylindrical surface of the second passage". An exemplary embodiment of this structure is shown in Fig. 17. This figure shows ring braze 622 being disposed not at the end of inner pipe 102, as shown by O'Laughlin, but instead shows the ring braze being disposed at the release mouth 623(a), which

is formed on the cylindrical surface of the second passage. Neither O'Laughlin, nor any other reference applied by the Examiner, teaches this structure. Therefore, Applicant submits that claim 11 is patentable for at least this reason. Further, claims 12, 13, 15, 27, 30, 32, 34, and 36 all depend from claim 1, and we would therefore submit that these claims are patentable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880 via EFS payment screen. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

Date: December 1, 2008

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